

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

WENDY DAVIS, DAVID GINS, and TIMOTHY HOLLOWAY,  Plaintiffs,  v.  ELIAZAR CISNEROS, RANDI CEH, STEVE CEH, JOEYLYNN MESAROS, ROBERT MESAROS, and DOLORES PARK,  Defendants.	Civil Action No. 1:21-cv-00565-RP  Hon. Robert Pitman
---	---

**PLAINTIFFS’ OPPOSITION TO CEH DEFENDANTS’ MOTION FOR EXTENSION OF  
TIME TO FILE THEIR MOTION FOR ATTORNEY’S FEES AND BILL OF COSTS**

On August 5, 2025, Defendants Randi and Steve Ceh (the “Ceh Defendants”) filed their request for a 14-day extension to file a motion to seek attorney’s fees and costs under 42 U.S.C. § 1988 (the “Forthcoming Motion”). Dkt. 592. Although Plaintiffs have consistently been unopposed to reasonable extensions for briefing throughout this litigation, Plaintiffs believe such relief is unwarranted here.

The Ceh Defendants’ Forthcoming Motion for attorneys’ fees and costs requires meeting the steep burden of showing that Plaintiffs’ claims are frivolous, unreasonable, or groundless, or that Plaintiffs acted in bad faith. *Clifton v. City of Denton*, 2009 WL 348754, at \*2 (5th Cir. 2009). Here, there is no basis for such a showing. The Court has ruled in Plaintiffs’ favor on all dispositive motions, including all motions to dismiss, Dkts. 64, 100, 204, 258; and all motions for summary

judgment, holding that a reasonable jury could find Defendants liable on all of Plaintiffs' claims, Dkt. 475. Even at trial, this Court affirmed that Plaintiffs "presented legally sufficient evidence that would support a verdict in favor of the plaintiffs on all the counts that are contained in the complaint." *See* Sept. 19, 2024 Trial Tr., Ex. 1 at 49:20–69:3 (denying all Defendants' motions for judgment as a matter of law). And after trial, the jury indeed found one Defendant liable for Plaintiffs' claims. Dkt. 557.

What is more, the Ceh Defendants' request comes merely days after this Court warned the Mesaros Defendants that "it is hard to see how [they] could prevail in meeting their high burden of showing that Plaintiffs' case was frivolous or brought in bad faith." Dkt. 589 at 10. Defendant Steve Ceh has even publicly acknowledged that a majority of the jury was inclined to hold the Ceh Defendants liable after trial.<sup>1</sup> These rulings and statements demonstrate that Plaintiffs did not act frivolously in bringing their claims—indeed far from it—and the Forthcoming Motion will simply rehash prior, failed arguments. Plaintiffs are unaware of *any case*, in *any jurisdiction*, where a court has deemed a suit frivolous or in bad faith in such a posture, nor have Defendants provided any.

Accordingly, Plaintiffs believe the Forthcoming Motion for fees and costs is itself frivolous, and therefore, good cause does not exist to provide extensions that would facilitate the filing. Plaintiffs have provided detailed notice to the Ceh Defendants of their position on the

---

<sup>1</sup> In a public video interview released after trial, Steve Ceh explained that "five [jurors] wanted at least \$100,000 from all of us [Defendants]," but other jurors "got [him] cleared from a finding of liability." *See* Dkt. 572 at 10. In another more recent video, Ceh similarly explained: "I had coffee with one of the jurors. And he told me that as soon as they walked in for deliberation, they started at \$100,000. So, that means that my wife and I . . . would have to pay \$100,000 each, just beginning with that." Citizens Defending Freedom, *Why Pastors Must Speak Boldly: Pastor Steve Ceh on Defending Faith & Freedom in the Public Square*, Vimeo (July 24, 2025, 3:24 PM), <https://vimeo.com/1104268135>.

Forthcoming Motion in an attempt to avoid wasting the Court's, and the parties', time and resources. *See* Dkt. 592-1. Plaintiffs further understand that certain Defendants continue to fundraise off this case,<sup>2</sup> and make public appearances regarding this case,<sup>3</sup> and Plaintiffs have concerns that additional baseless filings will occur if facilitated by extensions or allowed without any repercussions.

Finally, the Ceh Defendants argue that good cause exists for an extension of time to file the Forthcoming Motion because the Ceh Defendants' counsel "will be out of the country from August 11 through August 19, 2025," and the "complex history of thos case, combined with the legal issues . . . will require substantive briefing." Dkt. 592 at 1. But "foreseeable scheduling conflicts cannot justify the extension of [] deadlines," and the Ceh Defendants have not explained why these circumstances will pose undue difficulty. *Ebel v. Eli Lilly & Co.*, 248 F.R.D. 208, 209 (S.D. Tex. 2007). The need for an extension is further belied by the Ceh Defendants' awareness that the jury found the Ceh Defendants not liable over ten months ago, and that an entry of final judgment would be coming. The Ceh Defendants should not be given nearly a month to file a completely frivolous motion, rehashing previous arguments, to request relief that they should have anticipated they were going to file almost a year ago. For these reasons, Plaintiffs respectfully request that the Ceh Defendants' motion for an extension of time be denied.

---

<sup>2</sup> The Mesaros Defendants continue to fundraise through their GiveSendGo account, which states: "Despite the jury's ruling in our favor, the federal judge has refused to issue a final judgment for ten months . . . . We are currently \$66,000 in the hole, and that number is growing by the month as we push for a final ruling and prepare to go on offense with a countersuit." *Free Speech Defender*, GiveSendGo, <https://www.givesendgo.com/Mesaros>. Numerous individuals have donated in the past week.

<sup>3</sup> *E.g.*, *supra* n.1.

DATED: August 6, 2025

Respectfully submitted,

/s/ Samuel Hall

**TEXAS CIVIL RIGHTS PROJECT**

Christina M. Beeler (TX Bar No. 24096124)  
Sarah Xiyi Chen (CA Bar No. 325327) (*pro hac vice*)

Veronikah Rhea Warms (TX Bar No. 24132682) (*pro hac vice*)

Travis Fife (TX Bar No. 24126956)

Texas Civil Rights Project

1405 Montopolis Drive

Austin, TX 78741

Telephone: (512) 474-5073

Facsimile: (512) 474-0726

christinab@texascivilrightsproject.org

schen@texascivilrightsproject.org

veronikah@texascivilrightsproject.org

travis@texascivilrightsproject.org

**THE PROTECT DEMOCRACY PROJECT, INC.**

Orion Danjuma (NY Bar No. 4942249) (*pro hac vice*)

The Protect Democracy Project, Inc.

82 Nassau Street, #601

New York, NY 10038

Telephone: (202) 579-4582

Facsimile: (202) 769-3176

orion.danjuma@protectdemocracy.org

Cerin Lindgrensavage (DC Bar No. 1741602) (*pro hac vice*)

JoAnna Suriani (DC Bar No. 1645212) (*pro hac vice*)

Anne Harden Tindall (DC Bar No. 494607) (*pro hac vice*)

The Protect Democracy Project, Inc.

2020 Pennsylvania Ave. NW, Suite # 163

Washington, DC 20006

Telephone: (202) 579-4582

Facsimile: (202) 769-3176

cerin.lindgrensavage@protectdemocracy.org

joanna.suriani@protectdemocracy.org

anne.tindall@protectdemocracy.org

Benjamin L. Berwick (MA Bar No. 679207)  
(*pro hac vice*)

The Protect Democracy Project, Inc.  
15 Main Street, Suite 312  
Watertown, MA 02472  
Telephone: (202) 579-4582  
Facsimile: (202) 769-3176  
ben.berwick@protectdemocracy.org

Jared Fletcher Davidson (LA Bar No.  
37093) (*pro hac vice*)

The Protect Democracy Project, Inc.  
3014 Dauphine Street, Suite J  
New Orleans, LA 70117  
Telephone: (202) 579-4582  
Facsimile: (202) 769-3176  
jared.davidson@protectdemocracy.org

**WILLKIE FARR & GALLAGHER LLP**

Michael Gottlieb (DC Bar No. 974960) (*pro hac vice*)

Robert Meyer (DC Bar No. 405632) (*pro hac vice*)

Samuel Hall (DC Bar No. 242110) (*pro hac vice*)

Jamielah Yancey (DC Bar No. 1619055)  
(*pro hac vice*)

Rebecca Heath (DC Bar No. 1644402) (*pro hac vice*)

Amy R. Orlov (DC Bar No. 1780213) (*pro hac vice*)

Noah Mussmon (DC Bar No. 90006660)  
(*pro hac vice*)

Willkie Farr & Gallagher LLP  
1875 K Street, N.W.

Washington, D.C. 20006-1238

Telephone: (202) 303-1000

Facsimile: (202) 303-2000

Email: mgottlieb@willkie.com

rmeyer@willkie.com

shall@willkie.com

jyancey@willkie.com

rheath@willkie.com

aorlov@willkie.com

nmussmon@willkie.com

Aaron E. Nathan (NY Bar No. 5478227)  
(*pro hac vice*)

Willkie Farr & Gallagher LLP

787 Seventh Avenue

New York, NY 10019

Telephone: (212) 728-8000

Facsimile: (212) 728-8111

Email: anathan@willkie.com

**CERTIFICATE OF SERVICE**

I hereby certify that on August 6, 2025, a true and correct copy of the foregoing has been served on all counsel of record by the Electronic Case File System of the Western District of Texas in compliance with the Federal Rules of Civil Procedure as agreed by the parties.

DATED: August 6, 2025

Respectfully submitted,

/s/ Samuel Hall

Samuel Hall (DC Bar No. 242110)  
(*pro hac vice*)  
Willkie Farr & Gallagher LLP  
1875 K Street, N.W.  
Washington, D.C. 20006-1238  
Telephone: (202) 303-1000  
Facsimile: (202) 303-2000  
shall@willkie.com